



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

David A. Holman, Cynthia J. Bruckner-Lea,
Fred J. Brockman, and Darrell P. Chandler

Serial No: 09/177,902

Filed: 10/23/98

For: METHOD AND APPARATUS FOR
PACKED COLUMN SEPARATIONS AND
PURIFICATIONS

) Art Unit: 1724

) Examiner: Ivars C. Cintins

) Paper No: 2

) File No: E-1658

) Date: January 14, 2000

AMENDMENT

Box Non-Fee Amendment
Assistant Commissioner of Patents
Washington, DC 20231

Dear Sir:

Responsive to the Office Action dated 12/21/99, whereby the Examiner has set forth a restriction requirement under 35 U.S.C. 121, Applicant hereby elects the Group I invention of Claims 1-17.

The Examiner further asserts that if the Group I invention is elected, then an election of one of the following species is required:

- (1) chemical sample;
- (2) biological nucleic acid sample; and
- (3) biological protein sample.

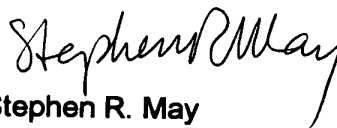
The Applicant particularly notes that the Examiner did not include "biological sample" (claim 10) in this species listing. If this was an oversight on the Examiner's part, the Applicant is prepared to argue that the "biological sample" and "chemical sample" species do not represent independent and distinct inventions. Thus, the

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Applicant provisionally elects the "chemical sample" species, the claims readable thereon being the generic claim 8 and the species claims 9 and 10, with the understanding that if no claim to the genus is found to be allowable, this restriction effectively applies to "chemical sample" and "biological sample." That is, the claim associated with the "biological sample" species will not be withdrawn from further consideration if no genus to the "chemical sample" species is found to be allowable.

Should the Examiner have any further observations or comments, he is invited to contact the undersigned for resolution.

Respectfully submitted,



Stephen R. May
Reg. No. 29,255

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